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SENATE BILL 3286 By
Cooper

HOUSE BILL 3303
By Fraley

AN ACT to amend Chapter 108 of the Private Acts of 1933, as amended by Chapter 349 of the Private Acts of 1939, Chapter 352 of the Private Acts of 1941, Chapter 156 of the Private Acts of 1961, Chapter 107 of the Private Acts of 1963, Chapter 11 of the Private Acts of 1971, Chapter 133 of the Private Acts of 1975, Chapter 269 of the Private Acts of 1980; Chapter 163 of the Private Acts of 1994, and any other acts amendatory thereto, to establish school districts within Franklin County; to provide for the number, election, terms, duties and compensation of the members of the Franklin County Board of Education; and to provide a method for filling vacancies on the board.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 108 of the Private Acts of 1933 as amended by Chapter 349 of the Private Acts of 1939, Chapter 352 of the Private Acts of 1941, Chapter 156 of the Private Acts of 1961, Chapter 107 of the Private Acts of 1963, Chapter 11 of the Private Acts of 1971, Chapter 133 of the Private Acts of 1975, Chapter 269 of the Private Acts of 1980, Chapter 163 of the Private Acts of 1994, and any and all amendatory acts thereto, are amended by deleting all sections in their entirety and substituting instead the following language:

Section 1. The Board of Education of Franklin County, Tennessee, shall be composed of eight (8) members, one to be elected from each of the eight County Commission Districts. Candidates must meet eligibility requirements as prescribed by statute, must be residents of the district from which they are elected, and shall be elected by the residents of the County Commission District in which they reside.

Section 2. Election of members of the Board of Education shall be held at the August general election and shall be conducted on a non-partisan basis. A person seeking a position on the board may not campaign as the nominee or representative of a political party.

Section 3. The members of the Board shall be elected for a term of four (4) years, and may succeed themselves. Incumbents shall serve as members from the district in which they reside and shall complete the term for which they were elected. The first election, pursuant to this act, shall be held in August, 2000. In order to establish staggered terms of office, the members from odd-numbered districts shall be elected for a term of two (2) years, and the members of even-numbered districts shall be elected for a term of four (4) years. Thereafter, members shall serve for a term of four (4) years, with the exception that in the event that an incumbent from an even-numbered district has a term that expires in 2002, the member elected from that district in 2002 shall serve for a term of two (2) years, and thereafter, a term of four (4) years.

Section 4. Vacancies occurring on the Board shall be filled by the county legislative body, as provided by law, until a successor is elected at the next general election. If a member of the Board should cease to reside in the district from which he/she was elected, the office shall be declared vacant and shall be filled as above stated.

Section 5. The duties of the members of the Board of Education shall be as prescribed by the general laws of the State of Tennessee.

Section 6. Compensation for members of the Board of Education shall be fixed by the county legislative body.

SECTION 2. If any section, or portion of this Act is held to be unconstitutional, such decision shall not affect the remaining portions of this Act.

SECTION 3. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Legislative Body of Franklin County. Its approval or non-approval shall be proclaimed by the presiding officer of the county legislative body and certified by the presiding officer of the county legislative body to the Secretary of State.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided by Section 3.